

Please assemble your package according to these guidelines. The maximum size of the package is 40 double sided pages, whether submitted electronically or in paper copy. **Oversized packages are not accepted.** Do not include glossy brochures, fancy photographs, or elaborate business plans that contribute little or nothing to the value of your case. We evaluate hundreds of applications monthly. Please think lean and demonstrate your business prowess.

TREATY TRADER and TREATY INVESTOR VISAS (both E-1 and E-2 visa applications)

Tab A (Table of Contents)

Tab B (Forms)

- 1) Completed **DS-160** for all applicants (to include derivatives)
- 2) **DS-156E** for primary applicant only

Tab C (Applicant Information)

- 1) Certificates that demonstrate proof of family relationships and the marital status for each applicant (one copy for the entire family is sufficient)
- 2) The principal applicant's résumé or curriculum vitae
- 3) A signed statement of intent to depart the U.S. upon termination of status for the principal applicant

Tab D (Cover Letter and additional documents)

- 1) The cover letter must describe how the enterprise qualifies for E-1 or E-2 status and must include a description of the beneficiary's specific skills and qualifications, if not addressed in the resume or CV. The letter must address all the requirements for E-1 or E-2 visa eligibility, described in depth in the U.S. Department of State Foreign Affairs Manual 9 FAM 41.51.

Address the following points in detail for the **E-1** visa:

- *a. The trade is substantial and on-going
- b. The traded goods are easily identified and traceable
- c. The enterprise is currently operational
- d. At least 50% of the trade is between the US and the treaty country. Bills of lading are the preferred documentation to verify this requirement; however, annual reports, purchase orders or invoices, sales invoices, inventory data and insurance papers documenting commodities imported into the U.S. may be acceptable.

Address the following points in detail for the **E-2** visa:

- *a. The investment is substantial
- b. The investor has invested or is in the process of investing
- c. The enterprise is currently operational or will commence operations imminently
- d. The investment is more than a marginal one solely for earning a living. If you are not the principle investor, you must demonstrate the applicant will fill an executive/supervisory role or possesses skills essential to the firm's startup operations

- 2) Documentation that supports the applicant's expertise and underlines his/her essential skills. This may include any relevant diplomas, job training certificates and/or letters from previous employers.
- 3) Include the first two pages of U.S. corporate tax returns, showing IRS reported sales for the two years immediately preceding the application and the most recent tax return filed with IRS.
- 4) Evidence that the enterprise has the present or future capacity to generate more than enough income for a minimal living for the treaty investor and his or her family. (The projected future capacity should be realized within 5 years after business start-up.)

Tab E (Ownership)

- 1) Proof of at least 50% treaty country nationality for the principal investor/owner
- 2) If the firm has several owners or subsidiaries or if the chain of ownership includes intermediary entities, please include the following (as applicable):
 - a) An organization chart with names showing the full ownership structure of the entity
 - b) Legal proof of ownership within a respective chain
 - c) Photocopies of the bio data page of the passports and the percentage of each unit holder of the definitive parent company
- 3) If the firm is publicly traded with many shareholders (none of which own more than 50%) include:
 - a) A written declaration justly authorized by a corporate official stating all of the stock exchanges on which the firm is traded
 - b) A copy of recently issued trading information concerning the nationality of the stock's owners.
- 4) For an E-1 visa, if the firm is an incorporated entity outside of the US, include a chart of ownership of the enterprise and a certificate of existence/registration from the state/province in which the company is incorporated.

*For proof of Trade or Investment, Treaty Trader and Treaty Investor applicants are encouraged to provide the following documentation:

TRADE:

Sales invoices;
Purchase invoices;
U.S. Bills of lading, issued by DHS/CBP;
Inventory data;
Insurance papers documenting commodities imported into the U.S.

INVESTMENT:

Invoices;
Cancelled checks and wire transfers, along with matching invoices;
Bank statements showing matching debits;
Escrow agreement, escrow account statement in the U.S., and escrow receipt (as applicable).

No further processing, including appointment scheduling, will occur until we have received definitive proof of trade or investment. In the event we must ask for additional information regarding proof of trade or investment, you or your attorney will have 30 days from our date of request to submit adequate proof. Failure to supply adequate proof of trade or investment within the 30 day time period will result in visa refusal.